

108TH CONGRESS  
1ST SESSION

# S. 90

To extend certain budgetary enforcement to maintain fiscal accountability and responsibility.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2003

Mr. GREGG (for himself and Mr. FEINGOLD) introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on the Budget and Governmental Affairs, with instructions that if one committee reports, the other committee have thirty days to report or be discharged

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## A BILL

To extend certain budgetary enforcement to maintain fiscal accountability and responsibility.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. EXTENSION OF PAY-AS-YOU-GO REQUIREMENT.**

4 (a) IN GENERAL.—Section 252 of the Balanced  
5 Budget and Emergency Deficit Control Act of 1985 (2  
6 U.S.C. 902) is amended—

7 (1) in subsections (a) and (b)(1), by striking  
8 “enacted before October 1, 2002,” and inserting  
9 “enacted before October 1, 2007”; and

1           (2) in subsection (b), by inserting at the end  
2           thereof the following:

3           “(3) EXCEPTION.—Notwithstanding any other  
4           provision of law, there shall be no sequestration  
5           under this section for any fiscal year in which a sur-  
6           plus exists (as measured in conformance with section  
7           13301 of the Budget Enforcement Act of 1990).”.

8           (b) ENFORCEMENT.—The second sentence of section  
9           275(b) of the Balanced Budget and Emergency Deficit  
10          Control Act of 1985 (2 U.S.C. 900 note) is amended by  
11          striking “2006” and inserting “2007”.

12       **SEC. 2. EXTENSION OF BUDGET POINTS OF ORDER AND**  
13               **RULES IN THE SENATE.**

14          (a) EXTENSION OF SUPERMAJORITY ENFORCE-  
15          MENT.—Notwithstanding any provision of the Congres-  
16          sional Budget Act of 1974, subsections (c)(2) and (d)(3)  
17          of section 904 of the Congressional Budget Act of 1974  
18          shall remain in effect for purposes of Senate enforcement  
19          through October 1, 2007.

20          (b) PAY-AS-YOU-GO RULE IN THE SENATE.—

21               (1) IN GENERAL.—Section 207 of H. Con. Res.  
22          68 (106th Congress, 1st Session) is amended—

23                       (A) in subsection (b)(6), by inserting after  
24                       “paragraph (5)(A)” the following: “, except  
25                       that direct spending or revenue effects resulting

1 in net deficit reduction enacted pursuant to rec-  
2 onciliation instructions since the beginning of  
3 that same calendar year shall not be available”;  
4 and

5 (B) in subsection (g), by striking “April  
6 15, 2003” and inserting “October 1, 2007”.

7 (2) APPLICATION TO APPROPRIATIONS.—For  
8 the purposes of enforcing this section, notwith-  
9 standing rule 3 of the Budget Scorekeeping Guide-  
10 lines set forth in the joint explanatory statement of  
11 the committee of conference accompanying Con-  
12 ference Report 105–217, during the consideration of  
13 any appropriations Act, provisions of an amendment  
14 (other than an amendment reported by the Com-  
15 mittee on Appropriations including routine and on-  
16 going direct spending or receipts), a motion, or a  
17 conference report thereon (only to the extent that  
18 such provision was not committed to conference),  
19 that would have been estimated as changing direct  
20 spending or receipts under section 252 of the Bal-  
21 anced Budget and Emergency Deficit Control Act of  
22 1985 (as in effect prior to September 30, 2002)  
23 were they included in an Act other than an appro-  
24 priations Act shall be treated as direct spending or  
25 receipts legislation, as appropriate, under section

1        207 of H. Con. Res. 68 (106th Congress, 1st Ses-  
2        sion) as amended by this section.

3    **SEC. 3. SENSE OF THE SENATE ON EXTENSION OF STATU-**  
4        **TORY DISCRETIONARY SPENDING CAPS.**

5        It is the sense of the Senate that Congress and the  
6    President should negotiate and agree on the appropriate  
7    discretionary spending levels and extend the statutory dis-  
8    cretionary spending caps for 2003 and beyond as early  
9    as possible during the 108th Congress in a manner con-  
10    sistent with fiscal disciplines and accountability.

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